

EXHIBIT 1

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
(Northern Division)**

DAVID J. BOSHEA

*

Plaintiff,

*

Case No. 1:21-CV-00309-ELH

v.

*

COMPASS MARKETING, INC.

*

Defendant.

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* * * * *

DECLARATION OF LUIS A. FERNANDEZ

I, Luis A. Fernandez, declare under the penalty of perjury under the laws of the United States of America that the following is true and correct.

1. I am the Senior Vice President, Corporate Controller of Compass Marketing, Inc. (“Compass Marketing” or the “Company”).

2. Compass Marketing is a leading sales and marketing agency that helps clients grow sales and market share. Compass Marketing is incorporated in the Commonwealth of Virginia and its principal place of business is located in Annapolis, Maryland.

3. In my capacity as Senior Vice President, Corporate Controller, I am responsible for all financial and accounting practices and policies of the Company, including, but not limited to, financial reporting, financial accounting, payroll, and taxes.

4. In preparing this Declaration, I reviewed business records that are kept in the ordinary course of business that relate to David Boshea’s employment and certain benefit plans that David Boshea was eligible to participate in as a Compass Marketing employee.

5. David Boshea commenced his employment with Compass Marketing on or about May 2007. His last date of employment with Compass Marketing was on or about March 3, 2020.

6. Throughout his entire period of employment with Compass Marketing, David Boshea lived and worked in the State of Illinois.

7. Compass Marketing has several employees that work outside of the State of Maryland. For example, other Compass Marketing employees have lived and worked in the State of Illinois, including myself and Kevin Nemetz, Compass Marketing's Senior Vice President, Sales. Similarly, the President of Compass Marketing, Jerry Cain, resides in Utah. Alex Ansell, a Compass Marketing Product Manager, resides in the State of California. It is not unusual for Compass Marketing employees to live and work outside the State of Maryland.

8. Dating back to at least 2013, David Boshea only had Federal and Illinois taxes withheld from his wages.

9. Compass Marketing does not possess payroll records dating back further than 2013.

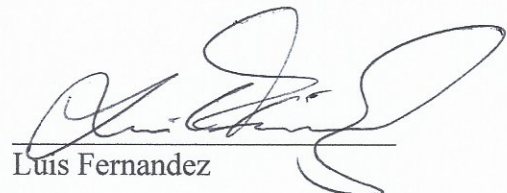
10. Throughout the entire period of his employment with Compass Marketing, David Boshea was enrolled in Compass Marketing's health benefits plan for out-of-state employees.

11. During the last thirty-six months of his employment, David Boshea only visited Maryland one time for a meeting at Compass Marketing's office.

12. The duration of this trip was approximately two (2) days.

I declare under the penalty of perjury under the laws of the United States of America that the following is true and correct.

Dated: February 15, 2022


Luis Fernandez